THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.20410 OF 2005

DATED:16.9.2005

Between:

M/s.Shravanthi Minerals (P) Ltd.

…Petitioner

And

The Government of Andhra Pradesh,

Rep. by its Secretary, Industries & Commerce Department

Secretariat, Hyderabad and another.

…Respondents

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WRIT PETITION NO. 20410 OF 2005

ORDER:

The petitioner company made an application on 2.11.2000 to fourth respondent for grant of mining lease for Nephyline Syenite. As per the procedure, the application was forwarded to the Mandal Revenue Officer concerned. By communication dt.13.11.2001 the Mandal Revenue Officer, Savalyapuram, Guntur District, rejected the application for no objection certificate (NOC). Aggrieved by the same, it appears, the petitioner approached the Government "under single file system". The Government issued notice to the applicant before rejecting the mining lease and returned file with a direction to the District Collector to consider the issue of NOC.

The petitioner now approached this Court seeking a direction to respondents to grant mining lease to the petitioner duly considering the application dt.2.11.2000.

It is not denied that the petitioner's request for NOC for grant of mining lease as per his application dt.2.11.2000 was rejected in November, 2001 itself. When the petitioner approached the Government, the Government also returned the file to the Director of Mines and Geology in April, 2003. Curiously the petitioner chose to invoke Article 226 of the Constitution of India after a period of more than three years and therefore this Court is not inclined to entertain the Writ Petition. If so advised, petitioner may pursue its remedies elsewhere either with the Government or with the Director of Mines and Geology.

The Writ Petition with the above observations is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

16.9.2005

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